

Appl. No. : 10/689,199
Filed : October 20, 2003

AMENDMENTS TO THE CLAIMS

1-25. (Canceled)

26. (Currently amended) A subcutaneously assembled in place orthopedic construct, comprising:

a first bone anchor comprising a distal end and a proximal end, the proximal end including a head with a portal extending therethrough;

a second bone anchor comprising a distal end and a proximal end, the proximal end including a head with a portal extending therethrough;

a first support structure, configured to be attached to the spine extend through the portals in the first and second bone anchors;

a second support structure, configured to be attached to the spine; and

a cross bar, which connects the first support structure to the second support structure to form an orthopedic construct;

wherein the cross bar is attached to the first and second support structures subcutaneously; and

wherein at least the cross bar comprises a media that is hardenable while the support structure is positioned within the body of a patient.

27. (Previously presented) A subcutaneously assembled in place construct as in Claim 26, wherein the first support structure comprises a hardenable media.

28 (Previously presented) A subcutaneously assembled in place construct as in Claim 27, further comprising a first cross tie connecting the cross bar to the first support, and a second cross tie connecting the cross bar to the second support.

29. (Previously presented) A subcutaneously assembled in place construct as in Claim 26, further comprising a first cross tie connecting the cross bar to the first support, and a second cross tie connecting the cross bar to the second support.

30. (Previously presented) A subcutaneously assembled in place construct as in Claim 26, wherein the cross bar includes a first aperture for receiving the first support, and a second aperture for receiving the second support.

31. (Canceled)

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32. **(Canceled)**

33. **(Previously presented)** A subcutaneously assembled in place construct as in Claim 26, wherein the hardenable media comprises an epoxy.

34. **(Previously presented)** A subcutaneously assembled in place construct as in Claim 26, wherein the hardenable media comprises polyurethane.

35. **(Previously presented)** A subcutaneously assembled in place construct as in Claim 26, wherein at least the cross bar comprises an outer wall, defining a cavity therein; and a plurality of reinforcing fibers in the cavity.

36-52. **(Canceled)**